

Mar 28, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DANIEL SCRIBNER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-CV-3148-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Leisa A. Wolf represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The administrative law judge (ALJ) shall hold a *de novo* hearing on remand, further develop the record, update the medical records, and issue a new decision. On remand, the ALJ shall also: (1) reevaluate the medical evidence of record,

1 including the opinion evidence from Dr. Postovoit, Dr. Brown and Dr. Dougherty;
2 (2) further evaluate the severity of Plaintiff's back impairment; (3) further evaluate
3 Plaintiff's symptoms; (4) obtain evidence from a medical expert with expertise in
4 psychology or psychiatry to testify as to the nature and severity of Plaintiff's
5 mental impairments; (5) reevaluate Plaintiff's residual functional capacity and
6 whether Plaintiff can perform his past relevant work; and (6) reassess the
7 remaining steps of the sequential evaluation process, obtaining supplemental
8 vocational expert testimony, if necessary. The ALJ may take any other actions
9 necessary to develop the record, and Plaintiff may submit additional evidence and
10 present additional argument.

11 2. **Judgment shall be entered for PLAINTIFF.**

12 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
13 **STRICKEN AS MOOT.**

14 4. An application for attorney fees may be filed by separate motion.

15 The District Court Executive is directed to enter this Order, forward copies
16 to counsel, and **CLOSE THE FILE.**

17 DATED March 28, 2018.



A handwritten signature in black ink, appearing to be "M" or "Rodgers", written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE